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VIA CM/ECF

July 11, 2015

The Honorable Susan D. Wigenton
U.S. District Judge
Room 5060 - MLK, Jr. Federal Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: ***IN RE GORDON ALLEN WASHINGTON, DEBTOR***

SPECIALIZED LOAN SERVICING LLC, ET AL. V. GORDON ALLEN WASHINGTON
No. 2:14-cv-8063-SDW

Dear Judge Wigenton:

This firm represents appellants Specialized Loan Servicing LLC and The Bank of New York Mellon, as trustee for the certificate-holders of the CWABS, Inc., asset-backed certificates, series 2007-5.

During the June 18, 2015 argument on appellants' appeal, appellants made reference to two Superior Court cases which rejected the conclusions reached by Bankruptcy Court Judge Kaplan and held that the applicable statute of limitations in respect of a mortgage is not the 6-year statute of limitations codified in N.J.S.A. 2A:50-56.1(a), but instead the 20-year statute of limitations codified in N.J.S.A. 2A:50-56.1(c); the written opinions in those cases had been forwarded to and filed with the Court the day before. See Dkt. Entry 22. At the conclusion of the argument, the Court took the appeal under advisement.

Since that argument, we have been informed that at least two other Superior Court judges -- in the Essex and Ocean Vicinages, respectively -- have rendered bench opinions denying motions to dismiss mortgage foreclosure actions, likewise holding that the 20-year statute of limitations codified in N.J.S.A. 2A:50-56.1(c), and not the shorter statute of limitations, applies. We have made arrangements to procure the transcripts of both bench opinions, and we will forward them to the Court immediately upon their receipt.

Trusting this letter is of aid to the Court in the determination of appellants' appeal, I remain,

A PA Limited Liability Partnership | John B. Kearney, Managing Partner

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Respectfully yours,

BALLARD SPAHR LLP

By: 

Roberto A. Rivera-Soto

cc: All Counsel Via CM/ECF